

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA *ex rel.*  
ELLSWORTH ASSOCIATES, LLP,

Plaintiff-Relator,

v.

CVS HEALTH CORPORATION, *et al.*,

Defendants.

Case No.: 2:19-cv-02553-JMY

**MOTION TO DISMISS**

Defendants CVS Health Corporation, SilverScript Insurance Company, LLC, CVS Caremark Corporation, and CVS Pharmacy, Inc. respectfully move under Federal Rule of Civil Procedure 12(b)(6) to dismiss all claims asserted against them in relator Ellsworth Associates, LLP's second amended complaint (ECF No. 18). The grounds for this motion are fully set forth in defendants' accompanying brief in support of their motion to dismiss.

Dated: July 25, 2022

/s/ Lesli C. Esposito

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*SilverScript Insurance Company, LLC; and*

*CVS Caremark Corporation*

**CERTIFICATE OF SERVICE**

I certify that on July 25, 2022, this document was filed electronically, that it is available for viewing and downloading from the ECF system, and that all counsel of record will be served by the ECF system.

/s/ Lesli C. Esposito  
Lesli C. Esposito